

STATE OF INDIANA ) IN THE DELAWARE CIRCUIT COURT 2  
 ) SS:  
 COUNTY OF DELAWARE ) CAUSE NO. 18C02-2102-CT-

LOWELL B. MILLER, )  
 )  
 Plaintiff, )  
 v. )  
 )  
 SCHINDLER ELEVATOR )  
 CORPORATION, IVY TECH )  
 COMMUNITY COLLEGE and IVY TECH )  
 COMMUNITY COLLEGE AT MUNCIE, )  
 )  
 Defendants. )

### COMPLAINT

Comes now Plaintiff, Lowell B. Miller, by counsel, and for his claim for damages against the Defendants, Schindler Elevator Corporation, Ivy Tech Community College and Ivy Tech Community College at Muncie, alleges as follows:

1. At all times relevant herein, Plaintiff was a resident of the City of Muncie, County of Delaware, State of Indiana.
2. At all times relevant herein, Defendant, Schindler Elevator Corporation, was a New Jersey corporation duly registered and doing business in the State of Indiana.
3. At all times relevant herein, Defendant, Ivy Tech Community College, was a college or university doing business in the State of Indiana with its principal place of business being 50 W. Fall Creek Parkway N. Drive, Indianapolis, IN 46208.
4. At all times relevant herein, Defendant, Ivy Tech Community College at Muncie, was a college or university doing business in the State of Indiana and located at 345 South High Street, Muncie, IN 47305.
5. On or about April 22, 2019, Defendants negligently caused Plaintiff to fall off an elevator at

EXHIBIT A

the John & Janice Fisher Building located at 345 South High Street, Muncie, IN 47305.

6. At all times relevant herein, Defendant, Ivy Tech Community College, owned and/or occupied and/or controlled the building where Plaintiff's fall occurred.
7. At all times relevant herein, Defendant, Ivy Tech Community College at Muncie, owned and/or occupied and/or controlled the building where Plaintiff's fall occurred.
8. At all times relevant herein, Defendant, Ivy Tech Community College, was responsible for maintenance and/or repair of the elevator at issue.
9. At all times relevant herein, Defendant, Ivy Tech Community College at Muncie, was responsible for maintenance and/or repair of the elevator at issue.
10. At all times relevant herein, Defendant, Schindler Elevator Corporation, was responsible for maintenance and/or repair of the elevator at issue.
11. As a result of the fall, Plaintiff suffered personal injuries.
12. Defendant, Ivy Tech Community College's, negligence was a responsible cause of Plaintiff's injuries.
13. Defendant, Ivy Tech Community College at Muncie's, negligence was a responsible cause of Plaintiff's injuries.
14. Defendant, Schindler Elevator Corporation's, negligence was a responsible cause of Plaintiff's injuries.

WHEREFORE, Plaintiff, Lowell B. Miller, by counsel, prays that this Court enter judgment against the Defendants in an amount commensurate with his damages, for pre-judgment interest, and for all other proper relief in the premises.

Respectfully submitted,

**GLASER & EBBS**

By: /s/Theresa L.D. Ebbs

Theresa L.D. Ebbs, #25292-49

Attorney for Plaintiff

By: /s/Robert H. Ebbs

Robert H. Ebbs, #15040-22

Attorney for Plaintiff

Theresa L.D. Ebbs, #25292-49

Robert H. Ebbs, #15040-22

**GLASER & EBBS**

845 S. Meridian Street

Indianapolis, IN 46225

(317) 636-5211/fax (317) 638-3474

TEbbs@glaserebbs.com

REbbs@glaserebbs.com